

## §61.14

(iii) Administrator determines that the applicant's inability to perform the particular area of operation will not adversely affect safety.

(2) A limitation placed on a person's airman certificate may be removed, provided that person demonstrates for an examiner satisfactory proficiency in the area of operation appropriate to the airman certificate, rating, or authorization sought.

(c) *Additional requirements for Category II and Category III pilot authorizations.* (1) A Category II or Category III pilot authorization is issued by a letter of authorization as part of an applicant's instrument rating or airline transport pilot certificate.

(2) Upon original issue, the authorization contains the following limitations:

(i) For Category II operations, the limitation is 1,600 feet RVR and a 150-foot decision height; and

(ii) For Category III operations, each initial limitation is specified in the authorization document.

(3) The limitations on a Category II or Category III pilot authorization may be removed as follows:

(i) In the case of Category II limitations, a limitation is removed when the holder shows that, since the beginning of the sixth preceding month, the holder has made three Category II ILS approaches with a 150-foot decision height to a landing under actual or simulated instrument conditions.

(ii) In the case of Category III limitations, a limitation is removed as specified in the authorization.

(4) To meet the experience requirements of paragraph (c)(3) of this section, and for the practical test required by this part for a Category II or a Category III pilot authorization, a flight simulator or flight training device may be used if it is approved by the Administrator for such use.

(d) *Application during suspension or revocation.* (1) Unless otherwise authorized by the Administrator, a person whose pilot, flight instructor, or ground instructor certificate has been suspended may not apply for any certificate, rating, or authorization during the period of suspension.

(2) Unless otherwise authorized by the Administrator, a person whose

## 14 CFR Ch. I (1–1–01 Edition)

pilot, flight instructor, or ground instructor certificate has been revoked may not apply for any certificate, rating, or authorization for 1 year after the date of revocation.

[Doc. No. 25910, 62 FR 40895, July 30, 1997]

### §61.14 Refusal to submit to a drug or alcohol test.

(a) This section applies to an employee who performs a function listed in appendix I to part 121 or appendix J to part 121 of this chapter directly or by contract for a part 121 air carrier, a part 135 air carrier, or for a person conducting operations as specified in §135.1(a)(5) of this chapter.

(b) Refusal by the holder of a certificate issued under this part to take a drug test required under the provisions of appendix I to part 121 or an alcohol test required under the provisions of appendix J to part 121 is grounds for:

(1) Denial of an application for any certificate, rating, or authorization issued under this part for a period of up to 1 year after the date of such refusal; and

(2) Suspension or revocation of any certificate, rating, or authorization issued under this part.

### §61.15 Offenses involving alcohol or drugs.

(a) A conviction for the violation of any Federal or State statute relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marijuana, or depressant or stimulant drugs or substances is grounds for:

(1) Denial of an application for any certificate, rating, or authorization issued under this part for a period of up to 1 year after the date of final conviction; or

(2) Suspension or revocation of any certificate, rating, or authorization issued under this part.

(b) Committing an act prohibited by §91.17(a) or §91.19(a) of this chapter is grounds for:

(1) Denial of an application for a certificate, rating, or authorization issued under this part for a period of up to 1 year after the date of that act; or